

**IDAHO BOARD OF PSYCHOLOGIST EXAMINERS**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 2/7/2020**

**BOARD MEMBERS PRESENT:** Helen A Napier, Ph.D. - Chair  
Denton C Darrington  
Linda Hatzenbuehler, Ph.D.  
Theresa L Ross, Ph.D.  
Jason D Gage, Ph.D.

**BUREAU STAFF:** Kelley Packer, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Julie Eavenson, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Nicholas Krema, General Counsel  
Rob McQuade, Legal Counsel  
Pam Rebolo, Board Specialist

**OTHERS PRESENT:** Deborah Katz, Idaho Psychological Association

The meeting was called to order at 8:30 AM MST by Helen A Napier, PhD.

**APPROVAL OF MINUTES**

Dr. Hatzenbuehler made a motion to approve the minutes of 11/1/19. It was seconded by Dr. Gage. Motion carried.

**COMPLAINT MEMORANDUM**

Ms. Peel gave the investigative report, which is linked above.

**EXECUTIVE SESSION**

Dr. Gage made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Dr. Ross. The vote was: Dr. Hatzenbuehler, aye; Senator Darrington, aye; Dr. Ross, aye; Dr. Gage, aye; and Dr. Napier, aye. Motion carried.

Dr. Gage made a motion to come out of executive session. It was seconded by Dr. Hatzenbuehler. Motion carried.

## **DISCIPLINE**

Dr. Napier made a motion to close case number I-PSY-2019-3. It was seconded by Dr. Gage. Motion carried.

## **FOR BOARD DETERMINATION**

Dr. Gage made a motion to approve the Bureau's recommendation and authorize closure with an advisory letter in case number PSY-2020-4. It was seconded by Dr. Ross. Motion carried.

Dr. Ross recused herself from discussion in case number PSY-2020-3. Dr. Gage made a motion to reject the proposal in case number PSY-2020-3 and request payment of seventy percent of the fines. It was seconded by Senator Darrington. Motion carried.

Ms. Peel presented a proposed letter for the Board to send to licensees who report having received a misdemeanor DUI conviction. Ms. Peel will revise the letter as requested by the Board. Dr. Gage made a motion to accept the letter with changes and have the Board chair review. It was seconded by Dr. Ross. Motion carried.

## **LAWS AND RULES**

Ms. Packer presented a legislative update in regard to the temporary adoption of the Board's rules. Dr. Hatzenbuehler made a motion to move the following:

Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens.

These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws.

The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.

The Governor has also found that the fees being imposed are justified and necessary to avoid immediate danger to the Idaho Board of Psychologist Examiner's budget, to the state budget, to necessary state functions and services, and to avoid immediate danger of a potential violation of Idaho's constitutional requirement that it balance its budget.

Therefore, we are adopting this temporary rule to be effective upon *sine die* of the 2020 session of the Idaho Legislature. The approval is conditional and will only

become effective if the rules are not otherwise approved or rejected by the Legislature and/or not extended pursuant to the Idaho Administrative Procedure Act, including Sections 67-5291 and 67-5292, Idaho Code.

It was seconded by Senator Darrington. Motion carried.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$176,112.06 as of 1/31/20.

## **BUREAU BUSINESS**

The Board reviewed the To Do List and no action was taken.

## **BOARD BUSINESS**

### **FORMS**

The Board reviewed the form to be used by the Advisory Panel for review of applicants for prescriptive authority. Dr. Gage made a motion to approve the review form. It was seconded by Dr. Ross. Motion carried.

## **NEGOTIATED RULE MAKING**

The Board discussed the public meeting regarding negotiated rulemaking to take place on April 30 from 6-8 PM MDT at the Bureau of Occupational Licenses. The public meeting will give educators and licensees an opportunity to address the Board and provide comment regarding the educational requirement in Rule 500.

## **CONFERENCE UPDATE AND ATTENDANCE**

The Idaho Psychological Association annual meeting will be held in Boise May 1-2. The Board will be making a presentation at the meeting on May 1.

Dr. Ross made a motion to approve travel and expenses for one Board member to attend the Association of State and Provincial Psychology Board mid-year meeting on April 23-26 in Toronto, Canada. It was seconded by Dr. Hatzenbuehler. Motion carried.

## **CORRESPONDENCE**

The Board reviewed correspondence from Dennis Woody regarding Professional Education Systems Institute (PESI) continuing education. Dr. Gage made a motion to direct the Bureau to respond with a letter stating that the Board will not be reviewing each individual workshop and will refer the licensee to Rule 402 regarding continuing education. It was seconded by Dr. Ross. Motion carried.

The Board reviewed correspondence from the Association of State and Provincial Psychology Boards regarding the early adopter information for the enhanced exam. The Board will contact the association and request a presentation at the next Board meeting scheduled for June 12 at 8:30 AM MDT.

## **EXECUTIVE SESSION**

Dr. Hatzenbuehler made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Dr. Ross. The vote was: Dr. Hatzenbuehler, aye; Senator Darrington, aye; Dr. Ross, aye; Dr. Gage, aye; and Dr. Napier, aye. Motion carried.

Dr. Ross made a motion to come out of executive session. It was seconded by Dr. Hatzenbuehler. Motion carried.

## **APPLICATIONS**

Dr. Hatzenbuehler made a motion to approve the following for prescriptive licensure:

PSYP 203236

TILUS, MICHAEL

It was seconded by Dr. Ross. Motion carried.

Dr. Hatzenbuehler made a motion to approve the following for licensure:

PSY 203273

LANGFIELD, GEORGE

PSY 203276

UMBRASAS, KARL

PSY 203309

BERNDT, CARROLL

Dr. Gage made a motion to table the following pending receipt of additional information:

901172389

It was seconded by Dr. Ross. Motion carried.

**NEXT MEETING** was scheduled for June 12 at 8:30 AM MDT and July 10 at 8:00 AM MDT.

## **ADJOURNMENT**

Dr. Gage made a motion to adjourn the meeting at 1:06 PM MST. It was seconded by Dr. Ross. Motion carried.

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Helen A Napier, Ph.D., Chair